

**IN THE CLAIMS**

The following claim set replaces all prior versions, and listings, of claims in the application:

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17. (Amended) A nitride semiconductor laser comprising:

DI a GaN substrate having a sapphire substrate and a single-crystal GaN layer at least formed on its surface said sapphire substrate, said single-crystal GaN layer formed through a lateral-growth process;

a small-crack-preventing layer made of a  $\text{Al}_a\text{Ga}_{1-a}\text{N}$  ( $0 < a < 0.1$ ) layer and contacting said GaN substrate, said small-crack-preventing layer having a coefficient of thermal expansion less than that of the GaN substrate thereby providing compression strain on said small-crack-preventing layer;

an n-type cladding layer containing Al;

an active layer containing InGaN; and

a p-type cladding layer containing Al.

18. (Previously added) The nitride semiconductor laser according to claim 17, wherein said n-type cladding layer contains more Al than said small-crack-preventing layer.

19. (Previously added) The nitride semiconductor laser according to claim 17, wherein said small-crack-preventing layer has a thickness of not less than  $1\mu\text{m}$ .

20. (Previously added) The nitride semiconductor laser according to claim 17, wherein said small-crack-preventing layer has a thickness of 3 to  $10\mu\text{m}$ .

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21. (Previously added) The nitride semiconductor laser according to claim 17,  
wherein said small-crack-preventing layer has been grown without an impurity doping.

22. (Previously added) The nitride semiconductor laser according to claim 17,  
wherein an indium gallium nitride layer is intervened between said small-crack-  
preventing layer and said n-type cladding layer.

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